

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 434-455-3900

To: Planning Commission

From: Planning Division

Date: June 23, 2004

Re: **REZONING: I-2, Light Industrial, and I-3, Heavy Industrial, to I-3C, Heavy Industrial (Conditional) at 3121 Odd Fellows Road and 3100 Mayflower Drive. CONDITIONAL USE PERMIT (CUP): Quarles Fuel Network, 3121 Odd Fellows Road and 3100 Mayflower Drive.**

I. PETITIONER

Craig McBride, Quarles Fuel Network, 1701 Fall Hill Avenue, Fredricksburg, VA 22401

Representative: Tracey M. Norvelle, Hurt & Proffitt, Inc., 2524 Langhorne Road, Lynchburg, VA 24501

II. LOCATION

The subject property is a tract of about 2.22 acres located at 3121 Odd Fellows Road and 3100 Mayflower Drive, Lynchburg, VA 24501.

Property Owners: Fred C. Howell & Charles M. Allison, Jr., 101 Claymont Drive, Lynchburg, VA 24502

III. PURPOSE

The purpose of this petition is to allow construction of an unmanned automobile fueling station.

IV. SUMMARY

- Petition agrees with the Comprehensive Plan which recommends Employment 2 land uses in this area.
- Petition agrees with the Zoning Ordinance in that an automobile service station is permitted in an I-3 zoning district with a conditional use permit (CUP) from the City Council.
- Petition proposes the use of this property as an unmanned automobile fueling station.

The Planning Division recommends approval of the rezoning petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* recommends Employment 2 uses in this area, which includes light and heavy industrial uses, as well as others designed to serve the employment area. An automobile service station is compatible with Employment 2 uses.
2. **Zoning.** The subject property was annexed into the City in 1958. In 1960, the property was zoned for two-family residential use. The existing I-2, Light Industrial, and I-3, Heavy

Industrial, zoning was established in 1978 with the adoption of the current *Zoning Ordinance*.

3. **Proffers.** The petitioner voluntarily submitted the following proffer(s) with the rezoning application:
 - 1) The property will be developed in substantial compliance with the Hurt & Proffitt site plan dated 5/17/04.
 - 2) Additional landscaping proposed as shown on the Hurt & Proffitt CUP/Rezoning plan dated 5/17/04.
 - 3) There will be no access from the fueling station to Mayflower Drive.
4. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the proposed rezoning.
5. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - 12/8/1987: City Council approved a CUP for a radio transmission tower off Mayflower Drive.
 - 7/11/1995: City Council approved a CUP for construction of a commercial fueling center in the 100 block of Bradley Drive.
 - 6/11/1996: City Council approved a rezoning from I-2, Light Industrial, to I-3C, Heavy Industrial (Conditional), and a CUP for construction of a fuel distribution facility at 3127 Carroll Avenue.
6. **Site Description.** The subject property is bounded to the east, west, and south by industrial and commercial uses. The subject property is bounded to the north by residential uses and vacant land.
7. **Proposed Use of Property.** The purpose of the rezoning is to allow construction of an unmanned fueling station.
8. **Traffic and Parking.** The City Traffic Engineer has no comments of concern regarding the subject petition. The proposed use is not expected to generate a significant amount of traffic.
9. **Storm Water Management.** New impervious areas will exceed 1,000 square feet; as such, a stormwater management plan will be required for the construction. The increase in pre- and post-development runoff conditions due to the new impervious area will be managed through the use of a stormwater detention pond. Preliminary drainage calculations indicate that the receiving channel is adequate for the site's stormwater.

Stormwater quality will be addressed through the use of Best Management Practices. Runoff from the area around the fueling center will be captured by an oil-water separator which will prevent direct discharge of hydrocarbon spills into natural drainage areas. Remaining stormwater from the parking area will be pre-treated prior to detention.

10. **Impact.** The Odd Fellows Road corridor from the intersection of Mayflower Drive east to the end of Odd Fellows Road is primarily a commercial/industrial corridor. All of the uses are manufacturing, assembly, warehouse, or similar, including the offices of the Virginia Employment Commission. The only exceptions are a church at the corner of Mayflower and Carroll and one remaining residence at 3217 Odd Fellows Road. This home was built in 1963, after the area was annexed into the City, but before the zoning was changed to industrial in 1978. An unmanned fueling station facing Odd Fellows Road would not be incompatible with the adjacent uses.

On Mayflower Drive, from Carroll Avenue to Perkins Street/Swan Place, the area is zoned industrial (I-2), but has residences on both sides—and no commercial or industrial uses. These houses were built from 1900 to 1940, and formed part of a small residential enclave prior to annexation or the imposition of City zoning. Since the applicants have voluntarily proffered that there will be no access to the fueling station from Mayflower Drive, the station should be compatible with the residential uses because traffic to and from the fueling station will not use Mayflower Drive.

11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on June 1, 2004. Comments related to the proposed use were minor in nature and have or will be addressed by the developer prior to final site plan approval.

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council approval of the petition of Quarles Fuel Network for a rezoning from I-2, Light Industrial, and I-3, Heavy Industrial, to I-3C, Heavy Industrial (Conditional), at 3121 Odd Fellows Road and 3100 Mayflower Drive for the use of an unmanned fueling station.

Based on the preceding Findings of Fact, the Planning commission also recommends to the City Council approval of the petition of Quarles Fuel Network for a Conditional Use Permit (CUP) at 3121 Odd Fellows Road and 3100 Mayflower Drive to allow construction of an unmanned fueling station, subject to the following conditions:

1. Property will be developed in substantial compliance with the site plan prepared by Hurt & Proffitt, Inc., dated May 17, 2004.
2. A subdivision plat will be submitted and approved vacating all interior lot lines.
3. All exterior lighting will be nondirectional and glare-shielded to prevent illumination across the property line onto adjacent properties.

- 4. A vegetative buffer will be provided between the subject property and the parcels at 3125 and 3117 Odd Fellows Road, as well as along the rear property line to screen the fueling station from adjacent uses.**

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. Bruce A. McNabb, Director of Public Works
Mr. R. Douglas Dejarnette, Fire Marshal
Ms. Judith C. Wiegand, Senior Planner
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Arthur L. Tolley, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Mr. Kent White, Environmental Planner
Ms. Tracey M. Norvelle, Petitioner/Representative

VII. ATTACHMENTS

- 1. Vicinity Zoning Pattern**
(see attached map)
- 2. Vicinity Proposed Land Use**
(see attached map)
- 3. Site Plan**
(see attached site plans)
- 4. Narrative**
(see attached narrative)